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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,615	12/12/2003	Douglas A. Martin	213828028US1	1701

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EXAMINER

NELSON, FREDA ANN

ART UNIT PAPER NUMBER

3629

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/734,615

Applicant(s)

MARTIN ET AL.

Examiner

Freda Nelson

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NY

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/12/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is in response to a letter for a patent filed on December 12, 2003 in which claims 1-9 were presented for examination. Claims 1-9 are pending.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 12/12/03 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner. Copy of PTO-1449 attached hereto.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "106" and "306" have both been used to designate a coin input region and a hopper.

3. The drawing are also objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 502, 504, 506a and 506b, 508, 510a and 510b, 522, 524, 526, 528, and 532. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of

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the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 3-4, and 6-9 are rejected under 35 U.S.C. 102(a) as being anticipated by Liebenow (Patent Number 6,480,673).
5. In claims 1, 4, and 6 Liebenow discloses a standalone kiosk that accepts photographic data from a customer for printing one or more photographs from that photographic data (col.1, lines 28-30). Liebenow discloses that the kiosk may be in another housing or location (col. 1, lines 50-56). Liebenow

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discloses that the kiosk includes an information handling system 102 (col. 1, lines 56-61). Liebenow discloses that the information handling system is electronically connected to a display 104 , such as a , cathode ray tube, a flat panel liquid display or any device capable of displaying information to a customer (col. 2, lines 4-13). Liebenow further discloses that the information handling system 102 is connected to at least one data reader 106 which may be a removable cartridge disk drive, a device adapted to read a flash memory card, or any other device capable of reading a portable data storage device on which a customer may store photographic data (col. 2, lines 14-24). Liebenow further discloses that a payment acceptor 112 is preferably also electronically connected to the information handling system 102. The payment acceptor 112 is adapted to accept cash or cash equivalents from a customer using the kiosk. The payment acceptor may include provisions for returning change to the customer in the form of coins or paper currency (col. 2, lines 57-66). Liebenow still further discloses that in another embodiment, the customer may insert one or more bills of paper money or coins into the payment acceptor 112 (col. 4, lines 55-57).

advantageously, more than type of one payment acceptor 112 is provided as part of the kiosk 100 allowing customers to pay with a number of different monetary equivalents (col. 2, lines 67 to col. 3, lines 1-3).

6. In claim 3, Liebenow is silent about a coin input region configured to receive a plurality of randomly oriented coins at least approximately simultaneously. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that a coin input region be configured

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to receive a plurality of randomly oriented coins at least approximately simultaneously was an old and well-known type of payment process in the controls mechanism, for example, a washing machine in a laundry mat. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the kiosk of Liebenow to configure the coin input region to receive a plurality of randomly oriented coins at least approximately simultaneously to prevent the user from having to feed each coin individually into the machine.

7. In claim 7, Liebenow discloses that alternately, payment is made via the kiosk 100 and the external interface unit 114 to a device at a separate location associated with the owner of the kiosk 100. Liebenow further discloses that after that device receives payment for the prints, it transmits an authorization code back to the kiosk 100 via the external interface 114 indicating that the payment has been made (col. 4, lines 66-col. 5 lines 1-4).

8. In claims 8-9, Liebenow is silent about a user interface configured to receive at least a mailing address for a user and communication facility configured to upload selected digital images to a digital photo processing facility located remotely from the system wherein the uploaded images is sent to the mailing address of the user. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made that that uploading of digital images to a remote photo processing facility and the sending of the of the prints to the mailing address of the user was an old and well-known

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photo processing in the photography art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the kiosk of Liebenow to include the photo processing method in which photos are processed from a remote location and to the customer so the customer can have the convenience of not having to wait for the prints by having the prints delivered to their homes.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liebenow in view of Fulcher et al. (Patent number 6,505,774).

10. In claims 2 and 5, Liebenow does not disclose a coin-counting apparatus configured to dispense a voucher for at least a portion of the total of the plurality of coins, wherein the voucher is redeemable for at least one of cash and merchandize. Liebenow does not further disclose that a first portion of the total of the plurality of coins can be applied toward purchase of a print and wherein a second portion of total can be applied toward a voucher. Fulcher et al. discloses an automated fee collection and parking ticket dispensing machine (abstract). Fulcher et al. further discloses that the machine 2 may instead dispense a

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voucher (step 622) to the user, when the machine 2 has in fact run out of change, good for parking at a later date or for a cash refund after the change supply of the machine 2 has been replenished; and the voucher may contain a printed bar code to enable reading by the machine 2 at a later date. Preferably, the user is given the option of another form of payment before a voucher is dispensed (col. 16, lines 33-42). It would have been obvious to modify the kiosk of Liebenow to include the include the voucher dispensing feature of Fulcher et al. to provide an incentive for the customer to return the kiosk at a later date to make another purchase.


Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda Nelson whose telephone number is (703) 305-0261. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DEANT NGUYEN
PRIMARY EXAMINER

Freda Nelson
Examiner
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